



MELLINGER, SANDERS & KARTZMAN, LLC

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Attorneys for Steven P. Kartzman, Chapter 7 Trustee

Order Filed on December 22,
2016 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

In re:

**JOSEPH T. AND YVETTE L.
GUARRACINO,**

Debtors.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Case No. 14-30441 (SLM)

Chapter 7

Honorable Stacey L. Meisel

**CONSENT ORDER FOR CARVE-OUT FROM PROCEEDS OF
THE SALE OF PROPERTY OF THE ESTATE FOR THE PAYMENT OF
ADMINISTRATIVE CLAIMS PURSUANT TO 11 U.S.C. § 503(b) and § 506(c)**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: December 22, 2016

A handwritten signature in black ink, appearing to read "Stacey L. Meisel".
Honorable Stacey L. Meisel
United States Bankruptcy Judge

Debtor: Joseph T. and Yvette L. Guarracino
Case No.: 14-30441 (SLM)
Caption: Consent Order for the Carve-Out from Proceeds of the Sale of Property of the Estate for the Payment of Administrative Fees Pursuant to 11 U.S.C. § 503(b) and § 506(c)

THIS MATTER having been brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee (the "Trustee"), by and through his attorneys Mellinger, Sanders & Kartzman, LLC, on application for the entry of a Consent Order in lieu of a formal motion for a carve-out from the proceeds of sale of property of the estate for administrative fees incurred in connection with the preservation and sale of property, and the Trustee and The Provident Bank having agreed to amicably resolve this issue on the terms set forth herein, as appears from the signatures of counsel affixed hereto, it is hereby

ORDERED AS FOLLOWS:

1. The Provident Bank, having a secured claim against the Debtors' 2002 Grady White 223 boat (the "Boat") in the sum of \$7,381.97 as of November 30, 2016, such Boat having been sold for the sum of \$22,000 (the "Sale Proceeds"), agrees to a carve-out of \$1,500 from the payment to be made on its secured claim, to be retained by the estate for payment of administrative claims incurred in connection with the preservation and sale of the Boat pursuant to 11 U.S.C. § 503(b) and 506(c).

2. The terms of this Consent Order are subject to the issuance of a Notice of Settlement and the following:

- (a) If no objection to the Notice is filed, the issuance of a Certification of No Objection; or
- (b) if any objection to the Notice is filed, the overruling of any such objection by this Court.

3. Counsel for the Trustee shall serve a copy of this Order upon all interested parties within seven (7) days of the date of entry.

Debtor: Joseph T. and Yvette L. Guarracino
Case No.: 14-30441 (SLM)
Caption: Consent Order for the Carve-Out from Proceeds of the Sale of Property of the Estate for the Payment of Administrative Fees Pursuant to 11 U.S.C. § 503(b) and § 506(c)

*The undersigned hereby consent to
the form and entry of the within Order:*

MELLINGER, SANDERS
& KARTZMAN, LLC
Attorneys for Trustee

THE PROVIDENT BANK

By: /s/ Joseph R. Zapata, Jr., Esq.
JOSEPH R. ZAPATA, JR., ESQ.

By: /s/ Rudolph Nemeth
RUDOLPH NEMETH,
FIRST VICE PRESIDENT

Dated: December 13, 2016

Dated: December 1, 2016

In re:
Joseph T. Guerracino
Yvette L. Guerracino
Debtors

Case No. 14-30441-SLM
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Dec 22, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 24, 2016.

db/jdb +Joseph T. Guerracino, Yvette L. Guerracino, 17 Sycamore Court, Westwood, NJ 07675-3523

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 24, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 22, 2016 at the address(es) listed below:

Alla Kachan on behalf of Defendant Joseph T. Guerracino alla@kachanlaw.com
Alla Kachan on behalf of Joint Debtor Yvette L. Guerracino alla@kachanlaw.com
Alla Kachan on behalf of Debtor Joseph T. Guerracino alla@kachanlaw.com
Andrew R. Turner on behalf of Plaintiff Nathel & Nathel courts@turnerlaw.net
Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS, INC., CHL MORTGAGE PASS-THROUGH TRUST 2007-18, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-18 dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Dipesh Patel on behalf of Plaintiff Joseph T. Guerracino dpatel@saul.com
Dipesh Patel on behalf of Debtor Joseph T. Guerracino dpatel@saul.com
Dipesh Patel on behalf of Joint Debtor Yvette L. Guerracino dpatel@saul.com
Dipesh Patel on behalf of Plaintiff Yvette L. Guerracino dpatel@saul.com
Joseph R Zapata, Jr. on behalf of Trustee Steven P. Kartzman jzapata@msklaw.net
Joshua I. Goldman on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF CWMBS, INC., CHL MORTGAGE PASS-THROUGH TRUST 2007-18, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-18 jgoldman@kmllawgroup.com, bkgroup@kmllawgroup.com
Nicole Alison Corona on behalf of Trustee Steven P. Kartzman ncorona@msklaw.net
Stephen B. Ravin on behalf of Joint Debtor Yvette L. Guerracino sravin@saul.com, jgillman@saul.com
Stephen B. Ravin on behalf of Plaintiff Joseph T. Guerracino sravin@saul.com, jgillman@saul.com
Stephen B. Ravin on behalf of Debtor Joseph T. Guerracino sravin@saul.com, jgillman@saul.com
Stephen B. Ravin on behalf of Plaintiff Yvette L. Guerracino sravin@saul.com, jgillman@saul.com
Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net;nj16@ecfcbis.com;ncorona@msklaw.net;angiea@msklaw.net
Steven P. Kartzman on behalf of Trustee Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net;nj16@ecfcbis.com;ncorona@msklaw.net;angiea@msklaw.net

TOTAL: 18